

Appl. No. 10/675337
Amdt. Dated 1-31-06
Reply to Office Action of 10-31-05

Remarks/Arguments

Applicant would like to thank the examiner for the thorough review of the present application. Applicant confirms election of species 2, Group III, claim 19 to be examined on its merits. Applicant has amended the specification to overcome the minor informalities, as helpfully pointed out by the examiner.

Original Claims 16, 19 and 20 are Patentable

The following claimed recitations are neither taught nor rendered obvious by the prior art of record:

- a floss ... including a plurality of perforations spaced along a length thereof and for assisting a user to separate said floss at said perforations. Neither the Karos reference nor any other prior art of record discloses such a claimed limitation. Karos specifically teaches a string 14 and a separate tip 16 attached to the string 14 (see FIGS. 2 and 5) for assisting the user to separate the string 14. Karos simply does not teach or provide any suggestion for including a plurality of perforations in its string. The string 14 is separated into smaller sections by detaching the string 14 from an associated tip 16, without employing perforations in the string 14 (see column 3, lines 51-57).
- a plurality of applicators formed to be substantially tubular and having opposed end portions for passing said floss therethrough. A person of ordinary skill in the art would not combined Petrus' applicator 8 with Karos' string 14 because Karos simply has no need for Petrus' applicator. Petrus is intended to position its porous media 4 adjacent to a body cavity. In contrast, Karos' intended function is to clean a body piercing by passing its string 14 completely through the body piercing. A person of ordinary skill in the art would not look to combined Petrus' teachings with Karos for the purpose of cleaning body piercings as it would unnecessarily inhibit Karos' string 14 from penetrating and passing through the body piercing. Applicant respectfully submits the examiner must consider all of Petrus' teachings and not selectively build Applicant's claimed invention by combining non-analogous art. One skilled in the art simply would not have a

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desire to combine Petrus with Karos to pass Karos' string 14 through a tiny body piercing. Rather, Petrus' applicator 8 is intended to transport a string adjacent to an open and broad body cavity (such as an ear canal) and discharge a porous media in the ear canal (see column 5, lines 53 – 67), which is counter intuitive to Karos' teachings.

- a sterilizing substance coated on said inner surface and being transferable onto said floss as same passes through said plurality of applicators respectively so that a pierced body part may be cleaned as said floss is passed therethrough.

No prior art of record teaches or renders obvious such a claimed recitation.

Karos specifically teaches saturating the string 14 within a body of antiseptic fluid (column 2, lines 46 – 53, lines 58 – 61). Petrus simply provides no teaching on Applicant's claimed recitation.

Newly Submitted Claim 21 is Patentable

No prior art of record teaches or renders obvious the following claimed recitation:

- wherein said perforations traverse across a width of said string and are oriented perpendicular to a longitudinal length of said string.

Applicant respectfully submits no new matter has been introduced, which would affect the statutory requirements of patentability, because all newly claimed recitations are clearly supported by the original drawings. A person of ordinary skill in the art is enabled to make and use the presently claimed invention based on the originally filed drawings. Applicant has included case law, wherein the Court has held the claims may be amended based upon the originally filed drawings without triggering a new matter rejection (please see attached literature).

In view of these considerations, it is respectfully submitted that the rejection of the pending claims should be considered as no longer tenable with respect to the above mentioned arguments and claim amendments. All pending dependent claims necessarily include the recitations of their independent claims and therefore are also in condition for allowance.

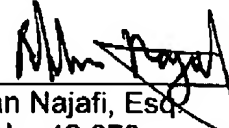
Appl. No. 10/675337
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Should the examiner consider necessary or desirable to make formal changes anywhere in the specification, claims and/or drawings, then it is respectfully asked that such changes be made by examiner's Amendment, if the examiner feels this would facilitate passage of the case to issuance. Alternatively, should the examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned attorney.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,
Law Office of Ashkan Najafi, P.A.

By


Ashkan Najafi, Esq.
Reg. No. 49,078
Customer No. 34,356

6817 Southpoint Parkway
Suite 2301
Jacksonville, FL 32216
Telephone: 904-296-0055
Facsimile: 904-296-0056